

PRECISION COMPONENTS, INC.,)
)
Plaintiff,)
)
vs.) ORDER
)
C.W. BEARING USA, INC., LIRONG HU and)
STEVEN TSAI,)
)
Defendants.)
)

The Plaintiff's argument is without merit. Rooker-Feldman has no application to the instant matter. Defendants are not seeking an appellate review of a state court judgment in this court by the filing of a new lawsuit. Defendants properly removed this matter to federal court once diversity jurisdiction arose. Removal divested the North Carolina Court of Appeals of jurisdiction to hear Defendant Tsai's appeal of the order denying his motion to dismiss.

Defendant Tsai is certainly free to raise his motion again in this court, and indeed has done so.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Remand is hereby DENIED.

Signed: January 6, 2006

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
Chief United States District Judge

